

DIVISION OF SPECIAL EDUCATION

Telephone: 317-232-0570

Facsimile: 317-232-0589

e-mail: rmarra@doe.in.gov

State Advisory Council on the Education of Children With Disabilities

**Embassy Suites, North
Indianapolis, Indiana
May 21, 1999**

In attendance: Maureen Greer, Mary Ramos, Edward Kasamis, Brett Bollinger, Kathy Wodicka, Robert Marra, Marcia Johnson, Jackie Pitman, David Schmidt, Julie Swaim, Rose Black, Carolyn Heier, Janet Corson, Elaine Scaife, and Cathlene Hardy-Hansen.

Guests: Maria Sells (Department of Correction - Special Education Department), J.Bret Lewis (Superintendent- Kankakee Valley School Corporation), Shirley Amond, Director of Special Education, West Central Joint Services.

Division Staff: Steve Stafford, Sally Cook, Becky Bowman, Michael Dalrymple, and Cindy Conway.

Meeting called to order at 9:25 a.m.

B. Marra distributed copies of Liam Grimley's obituary and asked for a moment of silence in honor of Dr. Grimley's dedication to children.

D. Schmidt moved to approve the minutes from April's meeting. Seconded by E. Kasamis. Minutes were approved.

K. Wodicka announced that this would be Dr. Kasamis' last advisory council meeting. He will be retiring. B. Marra presented the Bell Ringer Award from Dr. Suellen Reed to Dr. Kasamis in honor of his years of service. Dr. Kasamis introduced J.Bret Lewis from the Kankakee Valley School Corporation.

Age of Majority

B. Marra stated that there were many differing opinions on whether or not rights should be turned over the student at age 18. E. Kasamis felt that providing written notice to the parents when the student is 17 puts a burden on the public agency and is condescending to the parents. M. Greer indicated that this notice is no different than other notices sent to parents throughout the student's life. J. Corson stated that, as with the aging out of a CHINS, oftentimes there is a last minute scramble to put all the procedures in place. B. Bowman stated that the written notice only informs the parents that rights will transfer upon the student's 18th birthday. D. Schmidt indicated that this written notice is redundant and is built into the transition plan. B. Marra asked if the written notice should be included in the case conference

meeting held prior to the student's 17th birthday. M. Greer emphasized the importance of informing parents and helping them understand the implications of this rule. She's not sure that the family will understand the significance if the transfer of rights is blended into the case conference meeting. R. Black stated that parents need assistance in understanding the implications of guardianship prior to the student's 18th birthday. C. Hardy- Hansen questioned whether an additional piece of paper was really necessary. B. Marra suggested that the Department create a sample document indicating the procedures to happen prior to the student's 18th birthday. K. Wodicka suggested giving this document to parents at case conference time prior to the student's 17th birthday. B. Bollinger supported the use of this document. D. Schmidt indicated that many students don't want to attend the case conferences, and it is difficult to discuss some issues when the students are present. B. Marra indicated that he will work with the parent organizations (IPIN, IN* SOURCE) to inform them of the guardianship procedures. K. Wodicka indicated that no motion was needed and the discussion was for information purposes only.

Age Range

B. Marra explained the background that, in practice, the case conference committee made exceptions to the age range rule. He stated that the rule change will alleviate Protection and Advocacy's concerns about the ages of children in one classroom. M. Greer had concerns about the implications for preschool age children. B. Marra asked to table the preschool concerns until additional preschool issues are discussed later in the meeting. The Council agreed with the changes.

Case Conference Participants

D. Schmidt stated that it is almost impossible to get all parties required to be at the case conference to actually participate in the case conference. He added that the administration generally comes in to sign the paperwork and the general education teachers don't want to stay after school. E. Kasamis inquired as to whether or not the general education teachers can put their input in writing. B. Marra recommended providing a technical assistance document to assist schools in including all appropriate case conference committee participants. J. Corson suggested leaving the decision up to the schools to decide who should participate in the case conference meeting. B. Marra agreed and stated that the rule should allow for flexibility and should allow it to be a local policy whether the public agency representative is a building principal. He further stated that due process rights will kick in to support parents' rights. The Council supported this rule.

Transition

E. Kasamis had a question pertaining to the wording of "8th grade and career planning." B. Marra will check on Lynn Holdheide's original wording. M. Dalrymple asked whether age of majority was included in Transition. B. Bollinger asked if "functional vocational evaluation" needed to be defined. B. Marra stated that he would clarify the definition with Peggy O'Malley in Workforce Development. D. Schmidt asked a question about section 3(d)- whether or not "public agency" who confers with Vocational Rehabilitation can be a teacher of record or other staff. B.

Marra agreed that a public agency can include the teacher of record or other staff. B. Bollinger referred council members to section 3(b)(1) and inquired as to what has to be in the transition plan. S. Cook stated that there appears to be redundancy and overlap between section 3(b)(1) and section 3(b)(B)(i-v) and will look at this discrepancy. K. Wodicka suggested ending section 3(b)(1) after the word "activities." J. Corson asked if there is a definition of "related services." B. Marra referred council members to page 76 of the draft listing services and suggested cross-referencing in the draft to make it easier for parents and others to read.

CSPD

D. Schmidt expressed concerns about the lack of speech pathologists and the size of the existing speech caseloads. B. Marra stated that the schools should see an influx of available speech language pathologists, occupational therapists and physical therapists due to changes in the Medicaid program. He referenced pages 12443/12444 of the federal regulations and added that Rule 11 was written to reflect federal language with the exception of removing "CSPD committee within the building" language. This allows the issue to be locally driven. B. Bollinger asked how the short-term and long-term evaluations of the system would be monitored. B. Marra stated that he would explore this further. J. Pitman asked for a definition of "ongoing basis ." M. Dalrymple stated that professional development training data should be submitted to the division after each training session at best, but at least on a quarterly basis.

Instructional Day- Early Childhood

J. Swaim was very concerned about removing the class size limitation restriction She stated that removing the restriction leads to parents being put in an adversarial position with the schools. M. Greer supported the removal of the size limitation, stating that this will help ease transition and be driven by a child's needs. K. Wodicka stated that training parents to advocate for appropriate class size and removing class size limitation are two separate issues. M. Greer explained the role of due process and how it helps define the system without necessarily being adversarial. J. Swaim asked if this rule allows schools to pay for private preschools. B. Marra stated that the existing Article 7 already allows that option. He indicated that some parents are fearful that the removal of the 12 _ hour standard will result in just six hours of instruction being given. J. Swaim voiced concern about individualized services, such as children with autism, asthma, hearing impairments, etc. being in the same classroom. And that children with multiple handicaps should be counted as more than one child for class size purposes. E. Kasamis made a motion to affirm DOE's changes in the language. C. Heier seconded. More discussion ensued. M. Dalrymple offered his support of the language changes, stating that parent education is very important. K. Wodicka also stressed the importance of teaching parents to communicate. J. Corson asked if we were putting extra burden on parents. J. Swaim stated that her concern is with the implementation of services and that it is very difficult for teachers to carry out the services outlined in the IEP. K. Wodicka clarified the motion, which was to affirm the language changes. Vote was taken: 10 yes, 1 opposed, 1 abstention.

Developmental Delay

No discussion.

Discipline

No discussion

Other

Definitions

J. Pitman asked for clarification of "state-operated schools." B. Bowman stated that the definition will be corrected regarding the Indiana School for the Blind and the Indiana School for the Deaf.

B. Bollinger asked for clarification of "change in identification" and "change in determination." B. Bowman indicated that "change in determination of eligibility for special education, including declassification" will be removed.

Our next meeting will be August 26-27, 1999. Two days are needed to cover all of Article 7. Additional information will be mailed to all council members in early August.

Motion to adjourn was made by E. Kasamis. Seconded by J. Corson. Meeting adjourned at 2:45 p.m.